

**IN THE UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF SOUTH CAROLINA**

MARK FITZHENRY, individually and on  
behalf of a class of all persons and entities  
similarly situated,

Plaintiff

vs.

LOWE'S COMPANIES, INC.  
GE CAPITAL RETAIL BANK

Defendants

Case No. 14-cv-02081-RMG

**STIPULATION TO DISMISS**

NOW COME the Parties, by and through their respective attorneys, and pursuant to Fed R. Civ. Proc. 41(a)(1)(A)(ii), hereby stipulate and agree to the dismissal of Plaintiff's individual claims against Defendants Lowe's Companies, Inc. and GE Capital Retail Bank (now known as Synchrony Bank) with prejudice, with each party bearing its own costs. Plaintiff's class claims are dismissed without prejudice and with each party bearing its own costs. This stipulation of dismissal disposes of the entire action.

Dated: October 20, 2014

Respectfully submitted,

Mark Fitzhenry, *Plaintiff*

By: s/ Lance S. Boozer

Respectfully submitted,

Lowe's Companies, Inc. and GE Capital  
Retail Bank, now known as Synchrony  
Bank, *Defendants*

By: s/ Beattie B. Ashmore

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